



**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

-----X
FIFTH GENERATION COMPUTER CORPORATION,
Plaintiff,

09 CIVIL 2439 (JSR)

-against-

JUDGMENT

INTERNATIONAL BUSINESS MACHINES
CORPORATION,

Defendant.

-----X

Whereas the above-captioned action having come before this Court, and the matter having come before the Honorable Jed S. Rakoff, United States District Judge, and the Court, on January 5, 2010, having rendered its Opinion and Order directing the Clerk of the Court to close all open docket entries and to enter final judgment in favor of defendant, dismissing the complaint with prejudice and dismissing defendant's counterclaims without prejudice, it is,

ORDERED, ADJUDGED AND DECREED: That for the reasons stated in the Court's Opinion and Order dated January 5, 2010, all open docket entries are closed and final judgment is entered in favor of defendant, dismissing the complaint with prejudice and dismissing defendant's counterclaims without prejudice.

Dated: New York, New York
January 7, 2010

J. MICHAEL McMAHON

Clerk of Court

BY:



Deputy Clerk

THIS DOCUMENT WAS ENTERED
ON THE DOCKET ON _____